

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

EDDIE L. JONES,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

Civil Action No. 05-287 Erie

**MEMORANDUM ORDER**

This civil rights action was received by the Clerk of Court on October 6, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 68], filed on April 14, 2008, recommended that the motion for summary judgement filed by the United States [Doc. No. 52] be granted. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Plaintiff by certified mail and on Defendant. No objections were filed. After de novo review of the motion and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 6<sup>th</sup> day of May, 2008;

IT IS HEREBY ORDERED that the motion for summary judgment [Doc. No. 52] filed by the United States is GRANTED. JUDGMENT is hereby entered in favor of Defendant, the United States of America and against Plaintiff, Eddie L. Jones.

The Report and Recommendation [Doc. No. 68] of Magistrate Judge Baxter, filed on April 14, 2008, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge